



ATTORNEY'S DOCKET NO: C01104/70015

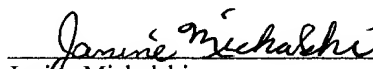
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin Dowling, et al.
Serial No: 09/805,368
Conf. No: 1552
Filed: March 13, 2001 -
For: LIGHT-EMITTING DIODE BASED PRODUCTS

Examiner: Unassigned
Art Unit: 2811

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Box DAC, Assistant Commissioner for Patents, Washington, D.C. 20231, on the 7th day of October 2002.


Janine Michalski

BOX DAC
Assistant Commissioner for Patents
Washington, D.C. 20231

STATEMENT UNDER 37 C.F.R. 1.78(a)(3)(iii)

Sir:

In the above-identified application, the entire delay between the date that the priority claim was due, under 37 CFR 1.78(a)(2)(ii), to the references indicated in the attached Preliminary Amendment, and today's date on which the claim is filed, was unintentional.

During a review of this application file while preparing a response to an outstanding Office Action in a related co-pending application (Serial No. 09/805,590), and pursuant to discussions with representatives of the current assignee of record (Color Kinetics, Inc.), the undersigned noted that the priority claim references listed in the "Cross Reference to Related Applications" section of the application as filed were incomplete. In particular, a number of non-provisional and provisional applications to which the listed references similarly are entitled a benefit were omitted inadvertently from the listed references.

In view of the foregoing, Applicants have enclosed herewith a Petition Under 37 CFR 1.78(a)(3) for Acceptance of an Unintentionally Delayed Claim for Priority Under 35 U.S.C. §120, together with a Preliminary Amendment specifying the applications for which a benefit is sought, this statement that the amended benefit claim is unintentionally delayed, and the required surcharge.

Favorable consideration is requested.

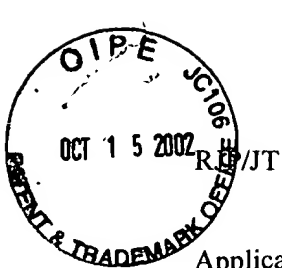
Respectfully submitted
Kevin Dowling, et al., Applicants

By: 

Joseph Teja, Jr., Reg. No. 45,157
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Tel. No.: (617) 720-3500
Attorneys for Applicant

Docket No. C01104/70015

Date: October 7, 2002



ATTORNEY'S DOCKET NO: C01104/70015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin J. Dowling, Frederick M. Morgan, Ihor A. Lys, Michael K. Blackwell, Alfred Ducharme, Ralph Osterhout, Colin Piepgras, George G. Mueller, and Dawn Geary
Serial No: 09/805,368
Confirmation No.: 1552
Filed: March 13, 2001
For: LIGHT-EMITTING DIODE BASED PRODUCTS
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Janine Michalski
Janine Michalski

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing are the following documents:

- [X] STATEMENT FILED PURSUANT TO THE DUTY OF DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98 PTO FORM 1449 AND REFERENCES CITED
- [X] RETURN POST CARD

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (617)720-3500, Boston, Massachusetts.

No check is enclosed. If a fee is needed, it may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Kevin J. Dowling et al., Applicants

By: *Joseph Teja, Jr.*
Joseph Teja, Jr., Reg. No. 45,157
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Tel. (617) 720-3500
Attorneys for Applicants

Docket No. C01104/70015 (RJP/JT)
Dated: October 7, 2002
X (NDD)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin Dowling, et al.
 Serial No: 09/805,368
 Confirmation No: 1552
 Filed: March 13, 2001
 For: LIGHT-EMITTING DIODE BASED PRODUCTS
 Examiner: Unassigned
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Janine Michalski
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BOX: DAC
 ASSISTANT COMMISSIONER FOR PATENTS
 WASHINGTON, D.C. 20231

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing are the following documents:

- ☒ PETITION UNDER 37 C.F.R. §1.78(a)(3) FOR ACCEPTANCE OF UNINTENTIONALLY DELAYED CLAIM FOR PRIORITY UNDER 35 U.S.C. §120
- ☒ PRELIMINARY AMENDMENT
- ☒ STATEMENT UNDER 37 C.F.R. 1.78(a)(3)(iii)
- ☒ RETURN RECEIPT POSTCARD

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (617)720-3500, Boston, Massachusetts.

A check in the amount of \$1,280.00 is enclosed to cover the fee for the Petition for Acceptance of Unintentionally Delayed Claim for Priority. If the fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

Kevin J. Dowling, et al., Applicants

By: *Joseph Teja*
 Joseph Teja, Jr., Reg. No. 45,157
 Wolf, Greenfield & Sacks, P.C.
 600 Atlantic Avenue
 Boston, MA 02210-2211
 Tel. (617) 720-3500
 Attorneys for Applicants

Docket No. C01104/70015
 Dated: October 7, 2002
 X (NDD)

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 OFFICE OF PETITIONS